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DEPT. OF TRANSPORTATION  
DOCKETS

BEFORE THE  
UNITED STATES DEPARTMENT OF TRANSPORTATION  
WASHINGTON, D.C.

02 MAY 23 PM 3:42

Joint Application of

AMERICAN AIRLINES, INC.

and

FINNAIR OYJ

under 49 U.S.C. 41308 and 41309 for  
approval of and antitrust immunity  
for agreement

OST-2002-12063 -6

SUPPLEMENTAL MOTION OF FINNAIR OYJ FOR  
CONFIDENTIAL TREATMENT UNDER 14 C.F.R. 302.12

Communications with respect to this document should be  
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Counsel for Finnair Oyj

May 23, 2002

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On April 4, 2002, American Airlines, Inc. ("American") and Finnair Oyj ("Finnair") filed a joint application under 49 U.S.C. 41308 and 41309 for approval of and antitrust immunity for an agreement. That application is currently pending in this docket.

On April 11, 2002, American and Finnair submitted a joint motion under 49 C.F.R. 302.12 for confidential treatment of certain documents filed that day in this docket. Subsequently, Finnair located a limited number of additional documents and is today submitting five copies of these confidential documents to the Department. By this motion, Finnair respectfully requests that these additional documents be accorded confidential treatment under 14 C.F.R. 302.12. The documents are numbered and

described on Finnair's Supplemental Index of Confidential Documents, attached hereto.

For all the reasons set forth in the joint motion filed by American and Finnair on April 11, 2002, Finnair contends that the documents being submitted to the Department today should be protected from public disclosure under the Freedom of Information Act, and access to them should be limited to counsel and outside experts who file Rule 12 affidavits stating that the affiant (1) will use the information only for the purpose of participating in this proceeding and (2) will not disclose such information to anyone other than counsel or outside experts who have also filed a valid affidavit.

Each and all of the arguments offered by American and Finnair in their joint motion dated April 11, 2002 applies with equal force with regard to the documents being submitted to the Department today. Finnair respectfully requests that those arguments be incorporated by reference herein.

In order to minimize the risk of harmful disclosure of this additional sensitive information, access to these documents should be strictly limited. Finnair is separately filing, concurrently with this motion, five copies of the documents in a sealed envelope labeled "Confidential Treatment Requested Under 14 C.F.R. 302.12; Access Is Limited To Counsel Or Outside Experts Who Have Filed Valid Affidavits."

This request to limit disclosure of these documents is fully consistent with Department precedent and policy. See, e.g., Joint Motion of American Airlines, Inc. and Finnair Oyj for Confidential Treatment Under 14 C.F.R. 302.12, Order 93-12-32 (United/Lufthansa) and Order 96-1-6 (American/ Canadian International).

Wherefore, for all these reasons, Finnair respectfully requests that the Department grant this motion to withhold proprietary and commercially sensitive confidential information from public disclosure.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John L. Richardson", is written over the typed name and address.

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Counsel for Finnair Oyj

May 23, 2002

CERTIFICATE OF SERVICE

I certify that I have, this 23rd day of May, 2002, caused a copy of the foregoing document to be served by e-mail on the following persons:

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John L. Richardson

FINNAIR OYJ  
SUPPLEMENTAL INDEX OF CONFIDENTIAL DOCUMENTS

<u>Number</u>	<u>Date</u>	<u>Description</u>
062-065	11/4/00	Study concerning EWR, ORD and JFK as Finnair gateways
066	4/18/02	Analysis of code-share passengers exchanged by American and Finnair
067		Revenue attributable to American code-share passengers carried by Finnair in 2000 and 2001
068-097	5/16/01	Finland-U.S. market share study